

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CITY OF WARREN GENERAL)
EMPLOYEES' RETIREMENT)
SYSTEM, Individually and on)
Behalf of All Others Similarly Situated,)

Plaintiff,)

v.)

CELGENE CORPORATION, MARK)
J. ALLES, PETER N. KELLOGG,)
SCOTT A. SMITH, NADIM AHMED)
and TERRIE CURRAN,)

Defendants.)

Case No. 2:18-cv-4772

CHARLES H. WITCHCOFF,)
Individually and on Behalf of All Others)
Similarly Situated,)

Plaintiff,)

v.)

CELGENE CORPORATION, ROBERT J.)
HUGIN, MARK J. ALLES, JACQUALYN)
A. FOUSE, PETER N. KELLOGG,)
SCOTT A. SMITH, and TERRIE CURRAN)

Defendants.)

Case No. 2:18-cv-8785

**NOTICE OF MOTION OF ALLEN E. DAVIS TO CONSOLIDATE RELATED
ACTIONS, TO BE APPOINTED LEAD PLAINTIFF AND TO APPROVE PROPOSED
LEAD PLAINTIFF'S CHOICE OF COUNSEL**

PLEASE TAKE NOTICE that Class members and proposed Lead Plaintiff Allen E. Davis (“Movant”), will move this Court, on a date and at such time as may be designated by the Court, for an order: (1) consolidating the related actions; (2) appointing Movant as Lead Plaintiff pursuant to the claims asserted herein, which arise under §§10(b) and 20(a) of the Exchange Act, 15 U.S.C. §§78i, 78j(b) and 78t(a), and Rule 10b-5, 17 C.F.R. §240.10b-5; and (3) approving Movant’s selection of Kahn Swick & Foti, LLC as Lead Counsel and Fox Rothschild LLP as Liaison Counsel on behalf of the proposed Class. In support of this Motion, Movant submits the accompanying Memorandum of Law, the Declaration of Jeffrey M. Pollack, and a [Proposed] Order.

DATED: May 29, 2018

Respectfully submitted,

FOX ROTHSCHILD LLP

/s/ Jeffrey M. Pollock

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*Local Counsel for Movant Allen E. Davis and
Proposed Liaison Counsel for the Class*

KAHN SWICK & FOTI, LLC

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-and-

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*Counsel for Movant Allen E. Davis and
Proposed Lead Counsel for the Class*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 29, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a Notice of Electronic Filing to all CM/ECF participants. I further certify that I mailed the foregoing document and the notice of electronic filing via U.S. first-class mail to any non-CM/ECF participants.

/s/ Jeffrey M. Pollock
Jeffrey M. Pollock